

**PUBLIC HEARING  
TREMONT BOARD OF SELECTMEN  
TREMONT COMMUNITY BUILDING  
MONDAY, JULY 10, 2006  
6:00 PM**

THE TREMONT SELECT BOARD HAS SCHEDULED A PUBLIC HEARING FOR THE CONSIDERATION OF AN APPLICATION FOR A NEW ON-PREMISE LIQUOR LICENSE ROBERT AND JUDY COUSINS D/B/A CAP'N NEMOS, FLAT IRON ROAD, BASS HARBOR.

Chairman Scott Grierson opened the Public Hearing at 6:00 pm on July 10, 2006. Present were Chairman Scott Grierson, Selectmen Kathi Thurston, Heath Higgins, Charlie Dillon and Chris Eaton, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Mark Good – Mount Desert Islander, Frank Gray Sr., Mel Atherton, Judy Cousins, and Laurie Schreiber – Bar Harbor Times.

There was no comment. (Application attached.)

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to close the Public Hearing on the Liquor License for Cap'n Nemos. Motion passed by a show of hands 5-0. The Public Hearing was closed at 6:01 pm.

**TOWN OF TREMONT  
REGULAR SELECTMAN'S MEETING  
TREMONT COMMUNITY BUILDING  
MONDAY, JULY 10, 2006  
IMMEDIATELY FOLLOWING THE PUBLIC HEARING**

1. CALL TO ORDER

The Regular Selectman's Meeting of July 10, 2006 was called to order at 6:03 pm.

2. ROLL CALL

Present were Chairman Scott Grierson, Selectmen Kathi Thurston, Heath Higgins, Charlie Dillon and Chris Eaton, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Mark Good – Mount Desert Islander, Frank Gray Sr., Mel Atherton, Judy Cousins, and Laurie Schreiber – Bar Harbor Times.

3. ADJUSTMENTS/ADOPTION OF AGENDA

Town Manager Millard Billings requested doing 12. Other before 10. Town Manager's Report. All the Selectmen agreed.

4. LIQUOR LICENSE CAP'N NEMOS

Selectman Heath Higgins asked if the outside arrangement was the same as on last year's application. Town Manager Billings agreed he felt it was the same floor plan as last year.

**Motion** made by Selectman Charlie Dillon, with second by Selectman Chris Eaton, to approve the Liquor Application for Cap't Nemos dated today's date. Motion passed by a show of hands 5-0.

**Motion** made by Selectman Heath Higgins, with second by Selectman Charlie Dillon, to recess the Selectman's Meeting for another Public Hearing. Motion passed by a show of hands 5-0.

**PUBLIC HEARING  
TREMONT BOARD OF SELECTMEN  
TREMONT COMMUNITY BUILDING  
MONDAY, JULY 10, 2006  
IMMEDIATELY FOLLOWING ACTION ON LIQUOR LICENSE**

THE TREMONT SELECT BOARD HAS SCHEDULED A PUBLIC HEARING FOR THE CONSIDERATION OF AN APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR ROBERT AND JUDY COUSINS D/B/A CAP'N NEMOS, FLAT IRON ROAD, BASS HARBOR.

The Public Hearing was opened by Chairman Scott Grierson at 6:07 pm.

Present were Chairman Scott Grierson, Selectmen Kathi Thurston, Heath Higgins, Charlie Dillon and Chris Eaton, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Mark Good – Mount Desert Islander, Frank Gray Sr., Mel Atherton, Judy Cousins, and Laurie Schreiber – Bar Harbor Times.

Chairman Grierson asked Judy Cousins to explain what they intended to use the Special Amusement Permit for. Judy Cousins said many people have asked if they had a Karaoke Machine as well as Sing-Alongs. The Cousins chose "E. Dancing with any of the above or accompanied by music produced by radio or other mechanical device" to prevent them from having to come before the Selectmen again (Application attached). Selectman Heath Higgins asked what the establishment's hours are. 7 to 11 was the answer. Selectman Heath Higgins then asked if there would be any [entertainment] outside. Mrs. Cousins said the music would all be inside. Selectman Heath Higgins clarified that the Amusement Permit would run congruently with the new Liquor License.

**Motion** made by Selectman Heath Higgins, with second by Selectman Charlie Dillon, to close the Public Hearing. Motion passed by a show of hands 5-0. The Public Hearing was closed at 6:12 pm.

Chairman Scott Grierson resumed the Selectmen's Meeting.

5. REVIEW SPECIAL AMUSEMENT PERMIT APPLICATION

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to approve the Special Amusement Permit for Cap't Nemos for the 06-07 year. Motion passed by a show of hands 5-0.

6. APPROVAL OF MINUTES

Approval of the minutes of June 19, 2006.

**Motion** made by Charlie Dillon, with second by Selectman Heath Higgins, to accept the minutes of June 19<sup>th</sup> as written. Motion passed by a show of hands 5-0.

7. APPROVAL OF WARRANTS

Warrant 148	3,379.37
Warrant 149	5,870.00
Warrant 150	11,875.36
Warrant 151	147,298.40
Warrant 152	3,909.50
Warrant 1	4,147.25
Warrant 2	38,906.23
Warrant 3	5,089.98

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to approve Warrants 148 – 152, and Warrants 1, 2, & 3. Motion passed by a show of hands 5-0.

8. NEW BUSINESS

A. UPDATE NEW TOWN OFFICE

Floor joist are expected on 7/11/06. Town Manager Millard Billings and Greg Johnston with CES are reviewing Invoices involving the New Town Office. Selectman Heath Higgins asked if CES has been reviewing the specs and plans for the trusses, etc. Town Manager Billings explained the Contractor gives them to Clerk – of – the – Works Steve Wilson who, after review, gives them to Greg Johnston with CES to review. The Selectmen asked about the Garage Apron. Town Manager Billings said it was poured and gravel was filled up to the edge to keep the new concrete from chipping every time the Town crew drive over it. When the area is paved 3 inches of gravel can easily be removed to make room for the pavement.

B. AWARD BID 4X4 DUMP TRUCK

Review bids for a 1 or 1 ½ ton 4x4 dump truck with snowplow and sander/spreader (see attached).

After some discussion the Selectmen all agreed on the Whited Ford 450.

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to accept Whited Ford's bid for their 450 for \$59,503.00. Motion passed by a show of hands 5-0.

Chairman Scott Grierson asked where the money would be coming from. Town Manager Millard Billings explained some would come from the Truck Reserve

account that was raised specifically for a new truck and some would come from “Winter Roads”.

C. AWARD BID SNOWPLOW AND SANDER/SPREADER

Review bids for a snowplow and sander/spreader (see attached).

Selectman Charlie Dillon asked who the manufacturer of the plows was and if the sander was 4 yards. Town Manager Billings assured him they were Fisher 10 foot plows and the sanders were Swenson 6.2 yard sanders at Bangor Truck Equipment and Howard Fairfield.

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to accept Bangor Truck Equipment’s bid package for the snowplow and sander for \$19,330.00. Motion passed by a show of hands 5-0.

D. WHARF IMPACT FEES

The Harbor Committee recommended Southwest Boat/JP Berzinis Inc. be charged a Wharf Impact Fee of \$1,600.00 based on \$25.00 per foot for a 64 foot boat – the contract is limited to one boat. If Southwest Boat used a different boat he would be required to pay a daily use fee.

**Motion** made by Selectman Heath Higgins, with second by Selectman Chris Eaton, to approve the Harbor Committee recommendation of \$1,600.00 for Jeff Berzinis Inc. Motion passed by a show of hands 5-0.

E. BOUNDARY LINE AGREEMENT

CES was awarded a contract to survey the perimeters of the four cemeteries that the Town acquired from the Hillrest – McKinley Cemetery Association.

On the recommendation of CES a Boundary Line Agreement has been drafted for the Head of the Harbor Cemetery. The agreement is between the Town of Tremont and the abutters William and Kathleen Thurnau (see attached). Town Manager Millard Billings has asked the Select Board for authorization to sign the agreement on behalf of the Town of Tremont.

**Motion** made by Selectman Heath Higgins, with second by Selectman Charlie Dillon, the Town Manager sign the deed and get it recorded. Motion passed by a show of hands 5-0.

F. APPOINTMENTS

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to appoint Beth Gott to the Solid Waste Committee for 3 years. Motion passed by a show of hands 5-0.

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to appoint Katherine Pratt to the Library Committee for a 3 years term. Motion passed by a show of hands 5-0.

9. OLD BUSINESS

The Black Box is in Tremont for the week. Southwest Harbor is claiming they own the Black Box. They have done all the maintenance and provided the storage for

more than 12 years. The Selectmen decided to take no action as long as Tremont gets to use the Black Box occasionally.

10. AGENDA ITEM 12. OTHER

Frank Gray Sr. asked the Selectmen if the school children could place the Veteran's Monument between the parking lots at the school/town office (see attached).

**Motion** made by Selectman Charlie Dillon, with second by Selectman Chris Eaton, to authorize the Veteran's Monument Committee to use the land between the two parking lots for the location of their monument pending approval of the monument. Motion passed by a show of hands 5-0.

Selectman Kathi Thurston pointed out there is a lot of cardboard at the Wharf and that may be a good spot for a cardboard dumpster.

The school has submitted a drawing of what they would like the present town office to look like when they take over the space (see attached). They would like a new entry door from the gym into a foyer which would access both of the new rooms created out of the old meeting room. The Selectmen felt it would be better to put two doors into the gym. The school would also like to remove the counter and closet in the present office area. The Selectmen left the table and went into the gym to ascertain if two doors would be better than one. Town Manager Millard Billings would like to put any doors through to the gym while school is out for summer. The Principal will be invited to a future Selectmen Meeting.

Town Manager Millard Billings would like authority to change the lease on the John Deere Backhoe from a Rental Agreement to a Lease/Purchase Agreement.

**Motion** made by Selectman Heath Higgins, with second by Selectman Charlie Dillon, to give Millard, Town Manager, approval to sign the contract for the [Lease/Purchase of the] John Deere Loader/Backhoe. Motion passed by a show of hands 5-0.

Town Manager Millard Billings requested authority to sign into the contract with James Wadman for the annual audit.

**Motion** made by Selectman Heath Higgins, with second by Selectman Charlie Dillon, to authorize Millard to sign the contract with James Wadman for the Town's Annual Audit. Motion passed by a show of hands 5-0.

The Library submitted a written request to have their revenue carried over from FY 2006 to FY 2007.

**Motion** made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to carry forward the revenues from the Bass Harbor Memorial Library. Motion passed by a show of hands 5-0.

MMA has sent out a form for Volunteer Insurance. The Selectmen suggested asking the different boards if they would like to sign up for insurance.

Town Manager Millard Billings has received the ballot for this year's annual election for the Maine Municipal Association Executive Committee Officers and Directors. The Selectmen declined voting for any.

From July 30, 2006 to August 4, 2006 is the annual Maine Revenue Service's Property Tax Assessor School and Town Manager Millard Billings would like to send town employee Debbi Nickerson to the Basic Course I.

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to give Millard permission to send Debbi to Property Tax School. Motion passed by a show of hands 5-0.

Gerald Walls spoke to the Selectmen about his concerns for the Ambulance crew's safety in parts of Tremont. He would like police back-up from Southwest Harbor or the Sheriff when responding to calls that Southwest Harbor/Tremont Ambulance staff feels may jeopardize their safety. Town Manager Millard Billings said he spoke to Southwest Harbor Police Chief and he said as long as the Hancock County Sheriff is on their way Southwest Harbor can respond in Tremont. It was felt Southwest Harbor Dispatch could call the Sheriff and then the Southwest Police Department. The Selectmen asked Town Manager Billings to speak to Bill Clark, Hancock County Sheriff, about the procedure.

#### 11. AGENDA ITEM 10. TOWN MANAGER'S REPORT

A. On going projects include developing bid specs for 500 CY inch minus for shoulder work and 3500 CY ½ inch minus for salt sand.

The ads have been run for the cemetery accusation.

B. Gott's Island Town Right of Way has been damaged by the use of a 4 wheel drive type forklift during a time when the road was too soft for such use. The Town Manager has viewed the site twice, the first time with Public Works to assess the damage, and the second time with John Cullen of DEP to assess environmental impacts. The road needs to dry out before any improvements, or reconstruction can occur. Drainage ditches outside of the Right of Way will help dry out the site. Hopefully the work can get done soon so it can be seeded before the fall rains come. The Town Manager will approach DEP to see if the town can get a permit to put stone on the shore in anticipation of the Right of Way being reconstructed. Selectman Heath Higgins suggested posting the road.

C. Jerry Suminsby has completed an appraisal of properties in Bernard. Review of appraisals may need to be done in executive session.

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to go into executive session pursuant to 1 MRSA § 405(6) (C) to discuss the acquisition of real property. Motion passed by a show of hands 5-0. The Selectmen went into executive session at 8:12 pm.

**Motion** made by Selectman Charlie Dillon, with second by Selectman Heath Higgins, to come out of executive session at 8:47 pm. Motion passed by a show of hands 5-0.

The Selectmen authorized the Town Manager to contact the Lyons. The offer would be: the Hinton house on Lopaus Point and Paul's mother's house on Steamboat Wharf Road in exchange for \$250,000.00 and the Red Store Lot and the Hinton Subdivision Lot Number 5. The Selectmen agreed with Mr. Billings that this was a good beginning to negotiations with the Lyons.

12. AGENDA ITEM 11. SUGGESTIONS/COMMENTS FOR NEXT MEETING

None

13. SET DATE FOR NEXT MEETING

July 24, 2006 at 6:00 pm

14. ADJOURN

**Motion** made by Selectman Charlie Dillon, with second by Selectman Kathi Thurston, to adjourn. Motion passed by a show of hands 5-0. The Meeting was adjourned at 9:52 pm.

Respectfully Submitted,

Debbi Nickerson  
Recording Secretary

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Scott Grierson

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Charlie Dillon

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Heath Higgins

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Katharine Thurston

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Chris Eaton